

1:20MJ2274

I, William L. Hasty, Special Agent of the Federal Bureau of Investigation, United States Department of Justice, hereinafter referred to as Affiant, being duly sworn under oath, hereby deposes and states as follows:

INTRODUCTION

1. Affiant is an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and Federal Rule of Criminal Procedure 41(a)(2)(C), as a Special Agent (SA) of the Federal Bureau of Investigation (FBI). Affiant is empowered to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. Affiant has been employed by the FBI since October 2010. Prior to becoming a Special Agent with the FBI, Affiant was employed as a Trooper in the Illinois State Police and as a Sergeant in the United States Marine Corps. Affiant attended the FBI Academy in Quantico, Virginia from October 2010 until March 2011 as a Special Agent with the FBI and has been assigned to the investigation of violent crime matters in the Cleveland Division since December 2017. Affiant has been charged with the investigation of federal crimes involving computer intrusion, bank robberies, drugs, and other general criminal offenses in the Northern District of Ohio. At all times during the investigation described in this Affidavit, Affiant has acted in an official capacity as a Special Agent of the FBI.

3. Between Affiant's work experience and training, Affiant has either taken part in, assisted in, or received extensive training in all the usual methods of investigation, including, but not limited to, physical surveillance, analysis of evidence, the execution of search warrants resulting in the seizure of drugs, and the monitoring of court ordered Title III wiretaps.

4. As will be shown below, there is probable cause to believe that between November 27th, 2019 and January 25, 2020, David Johnson committed Interference with Interstate Commerce by Robbery of Sunoco Gas Station, located at 940 East 222nd Street, Euclid, OH, BP Gas Station, located at 16220 Main Market Road, Parkman, OH, Dollar General, located at 11180 Chardon Road, Chardon Township, and Gas Mart, located at 21820 Lakeshore Boulevard, Euclid, OH, in violation of 18 U.S.C § 1951, and for each offense above, a violation of 18 U.S.C § 924(c)(A)(ii), Use, Carry, and Brandishing a Firearm During and in Relation to Crime of Violence. This affidavit is offered in support of an arrest warrant for David Johnson, currently housed at the Geauga County Jail, 12450 Merritt Road, Chardon, OH.

5. The statements contained in this affidavit are based in part on information developed by other Special Agents of the FBI and Detectives of the Euclid Police Departments (EPD) and Geauga County Sheriff's Office (GCSO) who have participated in the investigation. Unless otherwise noted, whenever in this affidavit your Affiant asserts that a statement was made, the information was provided by another law enforcement officer or an investigator (who may have had either direct or hearsay knowledge of the statement) to whom your Affiant has spoken or whose report your Affiant has read and reviewed. Likewise, any information pertaining to vehicles and registrations, personal data on subjects, and records checks, has been obtained through the Law Enforcement Automated Data System (LEADS), various state driver's license motor vehicle records, online database searches or the National Crime Information Center (NCIC) computers, various open source databases such as CLEAR and LexisNexis, and public social media websites such as Facebook and Twitter. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

6. On November 27, 2019, one armed male robbed the Sunoco gas station and convenience store located at East 222nd Street, Euclid, Ohio. One black male entered the store and brandished a firearm at the clerk, who provided cash to the robber. Euclid Police were provided a description of a younger black male wearing a black hoodie, a skull mask, blue and grey work gloves, armed with a two-toned silver and black handgun. The suspect was last seen running west on Miller Avenue. The robbery was captured on store surveillance video. Your affiant has reviewed the surveillance footage which showed the assailant in a black hoodie, grey gloves, grey sweatpants, black shoes, brandishing a two-toned silver and black handgun.

7. On November 28, 2019, a gold 2020 Kia Sportage bearing Ohio registration HVY3339 was stolen from Willoughby Hills, Ohio. On January 2, 2020, an Ohio temporary license plate bearing registration K061914 was stolen in Cleveland, Ohio.

8. On January 4, 2020, an armed robbery occurred near 3702 Stickney Avenue, Cleveland, Ohio, during which the subject, reportedly driving a gold colored Kia Sportage, robbed the victim of a wallet, \$80.00, and debit and credit cards. Shortly after the robbery occurred on the same date, the victim's credit card was used to purchase gasoline at the BP located at East 9th Street and Carnegie Avenue, Cleveland, Ohio.

9. On January 18, 2020, the BP gas station located at 16220 Main Market Street in Parkman, Ohio, was robbed by a black male in a grey sweat suit, black ski mask, and two-toned silver and black handgun. The robber entered the store, brandished the handgun, and demanded money. When he entered the store, the robber was dragging another employee into the store at gunpoint. Your affiant has reviewed surveillance from the robbery, showing the assailant

wearing a grey sweat-suit, brown boots with a small black area along the upper, blue/grey gloves, a skull mask, and a two-toned silver and black handgun.

10. On January 18, 2020, the Dollar General located at 11180 Chardon Road, Chardon, Ohio, was robbed. The employee reported a black male had entered the store wearing grey sweats, gloves, black skull mask, and brandished a silver handgun at her. During the robbery, the assailant demanded money and threatened to shoot her. The victim was shown surveillance footage from the robbery of the BP gas station located at 16220 Main Market Street, which occurred earlier that day, and immediately recognized the person in the surveillance video as the person who had robbed her.

11. On January 24, 2020, an employee of the BP Gas Station at East 9th Street and Carnegie Avenue observed the same distinct gold Kia Sportage that he previously observed on January 4, 2020, return to the gas station. The employee noted the make, model, year, color, and rims matched the January 4, 2020, incident. The employee captured the registration on the vehicle as Ohio temporary K061914.

12. On January 25, 2020, the Gas Mart, located at 21820 Lakeshore Boulevard, Euclid, Ohio, was robbed by a black male wearing a dark jacket or sweatshirt, black sweatpants with a Puma logo, black sneakers, gloves, and a silver handgun which was brandished at multiple victims. Your affiant has reviewed the surveillance footage which showed the assailant in a black hoodie, grey gloves, black Puma sweatpants, black shoes, black and white mask, and a two-toned silver and black handgun.

13. Investigators received a short video clip of the driver of the gold colored Kia Sportage from the January 24, 2020, incident showing a tall black male entering the store. Your affiant sent the video clip to several law enforcement partners requesting their assistance in

identifying the person in the video. Your affiant received notification from United States Probation Officer Jennifer Truxall that she believed the subject in the video to be one of her probationers, David Johnson, whose listed address with their office was 21920 Miller Avenue, Euclid, Ohio.

14. On January 27th, 2020, investigators located the stolen 2020 Kia Sportage at 21920 Miller Avenue, Euclid, Ohio, and conducted a probable cause arrest of David Johnson for Receipt of Stolen Property. At the time of his arrest, the Kia Sportage bore Ohio temporary registration K061914.

15. The lessee residing at 21920 Miller Avenue provided written consent to search the premises to both the Euclid Police Department and Lake County Sheriff's Department.

16. Two cellular phones were seized from Johnson during the arrest, along with the following items of clothing, matching clothing seen in surveillance videos, with the dates and incident noted:

- a. From November 27, 2019, robbery of Sunoco, Euclid, OH: a black "Jack Skellington" style skull mask (mask), pair blue/grey of Memphis Flex work gloves (gloves);
- b. From January 18, 2020, robberies of BP in Parkman, Ohio and Dollar General, Chardon Township, Ohio: LaCoste zip hooded sweatshirt, LaCoste sweatpants, Timberland pro work boots with salt on bottom, Timberland pro work boots without salt on bottom, pistol, gloves, mask;
- c. From January 24, 2020, return to BP: Superdry Brand hooded sweatshirt, Gucci Buckle Belt, G-Star raw denim jeans;

- d. From January 25, 2020, robbery of Gas Mart, Euclid, Ohio: winter jacket, Puma sweatpants, Nike low-top shoes, gloves;
- e. A silver and black Taurus G2C .40 semi-automatic pistol was recovered which is consistent with the firearm observed on surveillance video of all four robberies.

17. Following his arrest the Defendant was Mirandized. The Defendant stated, “You all can’t help me, I’ll be an armed career criminal in front of Judge Boyko.”

18. Law enforcement officers performed a social media search for Johnson and located a public Instagram account associated with Johnson, “1chaseda_problemchild”. When viewing this public account, detectives observed that Johnson matched the physical description provided by witnesses and observed in video surveillance for the four robberies mentioned above. The Instagram page also showed Johnson wearing clothing associated with the above mentioned robberies.

19. Subsequent search warrants received in Geauga County resulted in the identification of Google account kevinjeffries82@gmail.com as being the Google account used on one of the devices seized from David Johnson. Additionally, legal process issued to Google for GPS information from the above account showed that account, which was utilized by a phone seized from Johnson during his arrest, at the following locations and times:

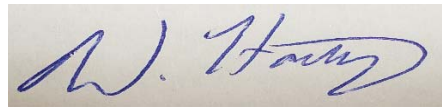
- a. January 4, 2020, 12:01 P.M.: along Stickney Ave, Cleveland, OH (robbery at 3702 Stickney Avenue, Cleveland, OH at 12:15 P.M.)
- b. January 18, 2020, 3:52 A.M.: 16220 Main Market Road, Parkman, OH (robbery at that location at 3:55 A.M.)
- c. January 18, 2020, 7:12 PM: along Chardon Road, Chardon, OH (robbery at 11180 Chardon Road, Chardon, OH at 7:13 P.M.)

- d. January 25, 2020 6:53 P.M.: at 21820 Lakeshore Boulevard, Euclid, OH (robbery
911 call received 6:56 P.M. after robbery for that location)

20. The stores referenced above are identified as Sunoco, a nationwide energy company with headquarters in Dallas, Texas, BP, also an energy provider, headquartered in London, England, Dollar General Corporation, a variety store headquartered in Goodlettsville, Tennessee, and Gas Mart, an energy supplier headquartered in Elizabethtown, North Carolina. In the above businesses, customers pay in U.S. Currency and by credit cards, to purchase products which move in and affect interstate commerce. In each of the robberies, U.S. Currency was taken by violence and force. Your affiant knows that U.S. Currency travels in interstate commerce and the taking of the currency would obstruct, delay or affect commerce.

CONCLUSION


21. Based on the foregoing facts, Affiant has probable cause to believe that between November 27th, 2019, and January 25, 2020, David Johnson committed four violations of 18 U.S.C § 1951, Interference with Interstate Commerce by Robbery and four violations of 18 U.S.C § 924(c)(A)(ii), Use, Carry, and Brandishing a Firearm During and in Relation to Crime of Violence.



William L. Hasty, Special Agent
Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means, Fed. R. Crim. P. 41 and 41(d)(3), on this 24th day of August, 2020.




Honorable David A. Ruiz
United States Magistrate Judge